

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PETER ACCURSO, <i>Plaintiff,</i>	:	CIVIL ACTION
	:	
	:	
v.	:	
	:	
INFRA-RED SERVICES, INC., et al., <i>Defendants.</i>	:	NO. 13-7509
	:	

ORDER

AND NOW this 11th day of March, 2016, upon consideration of the Motions *in Limine* filed by the Defendants (Doc. No. 91), the Motions *in Limine* filed by Mr. Accurso (Doc. No. 92), Mr. Accurso's Response to the Defendants' Motions *in Limine* (Doc. No. 102), the Defendants' Response to Mr. Accurso's Motions *in Limine* (Doc. No. 101), and for the reasons outlined in the Court's accompanying memorandum, it is hereby **ORDERED** that:

1. The Defendants' Motion *in Limine* to Exclude Mr. Accurso's Damages Evidence (Doc. No. 91 at 1) is **DENIED**;
2. The Defendants' Motion *in Limine* to Exclude Evidence of Personal Liability as to Brian Land and Audrey Strein (Doc. No. 91 at 1) is **DENIED**;
3. The Defendants' Motion *in Limine* for an Adverse Inference as to Defendants' Counterclaims Based Upon Spoliation of Evidence (Doc. No. 91 at 2) is **DENIED without prejudice**;
4. The Defendants' Motion *in Limine* to Accept Evidence of a Mixed Motive Framework (Doc. No. 91 at 2) is **DENIED without prejudice**;
5. The Defendants' Motion *in Limine* to Apply the Faithless Servant Doctrine (Doc. No. 91 at 4) is **DENIED**;

6. The Defendants' Motion *in Limine* to prevent the Admission of Privileged Materials (Doc. No. 91 at 5) is **GRANTED**;
7. Mr. Accurso's Motion *in Limine* to Exclude the Lay Opinion of Brian Land (Doc. No. 92 at 1) is **GRANTED in part and DENIED in part** and Mr. Land's lay opinion will be limited to identifying the Defendants' damages, as described in the accompanying memorandum;
8. Mr. Accurso's Motion *in Limine* to Exclude the Defendants' Damages Evidence (Doc. No. 92 at 2) is **DENIED**.

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
United States District Judge